

LABOR SERVICES DIVISION[875]

Adopted and Filed

Pursuant to the authority of Iowa Code section 88.5, the Labor Commissioner hereby amends Chapter 26, “Construction Safety and Health Rules,” Iowa Administrative Code.

The amendment adopts by reference changes to federal occupational safety and health standards concerning specialized equipment known as “digger derricks” that are used for tasks such as installing utility poles. Under the existing standards, most of the work done by digger derricks is exempt from the cranes and derricks standard. The change expands the exemption for digger derricks.

The principal reasons for adoption of this amendment are to implement legislative intent and make Iowa’s regulations current and consistent with federal regulations. Pursuant to Iowa Code subsection 88.5(1) and 29 CFR 1953.5, Iowa must adopt changes to the federal occupational safety and health standards.

Notice of Intended Action was published in the August 7, 2013, Iowa Administrative Bulletin as **ARC 0905C**. No public comment was received on the proposed amendment. This amendment is identical to the amendment published under Notice of Intended Action.

No variance procedures are included in this rule. Variance procedures are set forth in 875—Chapter 5.

After analysis and review of this rule making, this amendment will have no impact on jobs as it expands an exemption from a regulation.

This amendment is intended to implement Iowa Code section 88.5 and 29 CFR 1953.5.

This amendment shall become effective on November 6, 2013.

The following amendment is adopted.

Amend rule **875—26.1(88)** by inserting the following at the end thereof:
78 Fed. Reg. 32116 (May 29, 2013)

[Filed 9/11/13, effective 11/6/13]

[Published 10/2/13]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 10/2/13.